

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

601 Lexington Avenue
New York, New York 10022

Nathaniel J. Kritzer
To Call Writer Directly:
(212) 446-4833
nathaniel.kritzer@kirkland.com

(212) 446-4800

www.kirkland.com

Facsimile:
(212) 446-4900

January 4, 2017

Via ECF

Hon. Andrew L. Carter, Jr.
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 1306
New York, New York 10007

Re: *Jeffrey P. Weiner Supplemental Trust v. Rio Tinto PLC et al.*,
Case No. 1:16-cv-09572-ALC

Dear Judge Carter:

We represent defendants Rio Tinto plc and Christopher Lynch in the above referenced action. I write to respectfully move the Court for an extension of the deadline for the defendants to answer, move to dismiss, request a motion conference, or otherwise respond to the complaint in this matter. There has been no prior request for extension of this deadline, which is currently set for January 9, 2017 for defendant Rio Tinto and Mr. Lynch. (To our knowledge, the other defendants have not yet been served or waived service. Even so, this request would apply to the response date for all defendants, so that the Court need not consider multiple motions for an extension.)

Specifically, to allow for efficient administration of this case, we request that the defendants' deadline to respond to the complaint be stayed pending appointment of a lead plaintiff in this matter pursuant to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(a)(3)(B)(i). We further move the Court to order that, within fourteen days following appointment of a lead plaintiff, the parties must submit a status report with a proposed schedule for a response to the current complaint or the filing of an amended complaint and a response to the amended complaint. We have discussed this proposal with plaintiff's counsel, who consents to this request.

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We are grateful for the Court's attention to this matter.

Respectfully submitted,

/s/ Nathaniel J. Kritzer

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